

Filed for intro on 02/02/95
House Bill _____
By _____

Senate No. SB0763
By Haynes

AN ACT to amend Tennessee Code Annotated, Title 65, Chapter 6, Part 1, relative to the rehabilitation of railroad tracks.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 65, Chapter 6, Part 1, is amended by adding a new section thereto, as follows:

Section _____. (a) No state funds shall be expended for railroad track rehabilitation which does not result in such track being improved to a minimum standard of Federal Railroad Administration (FRA) Class One (1). Contracts for state funded track rehabilitation shall include language that the contractor who has agreed to rehabilitate the track will, as a minimum, meet or exceed FRA Class One track standards for a period of one hundred twenty (120) days from the date of completion of such rehabilitation. Any such contract shall further provide that the contractor will repair, at such contractor's own expense, any violation of FRA track standards observed and documented by any qualified state or FRA track inspector during the first one hundred twenty (120) days after completion of a track rehabilitation project. This section shall not be construed to prohibit state funded track rehabilitation contracts from specifying FRA

track standards that are greater than Class One (1) under federal railroad safety standards.

(b) To assist in scheduling safety assessments of track rehabilitation contracts or performances, the department of transportation shall forward copies of rehabilitation contracts to FRA Region 3 in Atlanta, Georgia, and the railroad division of the public service commission at least thirty (30) days before the anticipated completion of each state funded track rehabilitation project.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

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